

# ORDINANCE 84

## AN ORDINANCE REGULATING MUNICIPAL WATER AND SEWER SERVICE

WHEREAS, the City Council finds it is necessary to preserve and maintain the public health and welfare of the citizens of Coahoma, Texas, that certain regulations related to municipal water and sewer service in the city limit of Coahoma, Texas are hereby adopted by the City of Coahoma;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF COAHOMA, TEXAS: THAT THE FOLLOWING REGULATIONS SHALL BE EFFECTIVE ON THIS DATE, JANUARY 1, 2010.

### ARTICLE I. WATER AND SEWER SERVICES

#### Section 1. Water connections; permit.

(a) It shall be unlawful for any person to make or permit to be made any connection with the main or service pipes of the waterworks system or to turn on or use the water of such system without first obtaining a permit therefor.

(b) It shall be unlawful for any person to make any connection to the mains or pipes of the waterworks system of the city without first making an application for a permit so to do to the city, stating fully the several and various uses for which water is wanted, giving the name of the street and house or business address. Upon the payment of the tapping fee, the Water Department shall make, or have made, the necessary connections. All premises connected with any water main, or being supplied with any water from the city waterworks, shall have a separate service connection. If the application is approved by the designated official, a permit will be issued. All fees and charges shall be paid for at amounts and rates fixed by the city council.

#### Section 2. Sewer connections.

It shall be unlawful for any person to run wastewater of any kind from any place of business or private residence into the city sewer without first making an application for a permit with the city. Any house or business connection for sewer service from the city sewer lateral shall be installed at the expense of the connector in accordance with the regulations of and subject to inspection by the city.

#### Section 3. Privies.

It shall be unlawful for any person to permit or construct, or cause to be permitted or constructed, any privy within the city limits.

#### Section 4. Unauthorized connections.

It shall be unlawful for any person not authorized by the city council or the Water Department staff to tap or make connection with any sewer or water main belonging to the city.

#### Section 5. Furnishing water to another without authorization.

(a) It shall be unlawful for any person without the permission of the Water Department of the city to connect, install or permit any pipe or plumbing fixtures to be connected in or about any place or premises owned or controlled by him so that water may be furnished by the city through a meter not installed for such person, thereby permitting such person for whom a meter is not installed to receive water from the city through the meter of another.

(b) It shall be unlawful for any person for whom a water meter has been installed to permit his pipe or plumbing fixtures to be connected or in any manner remain connected so that any other person, not

connected with his family or place of business, may be furnished water through his meter without having a meter installed for such other person, without the permission of the Water Department.

(c) It shall also be unlawful for any person, not belonging to the same family or connected with the same place of business, for whom a water meter has not been installed to allow or permit his pipe or plumbing fixtures to be installed or to remain installed so that he may receive water through the meter of another person for whom a water meter has been installed, without the permission of the Water Department.

#### **Section 6. Unlawful procurement of water.**

It shall be unlawful for any person to resort to any fraudulent device or arrangement for the purposes of procuring water for himself or any other person from private connections.

#### **Section 7. Turning on water when turned off by city.**

It shall be unlawful for any person to turn on the water supply to any building or to any supply pipe where the supply has been turned off for the nonpayment of the monthly water charge or for any other violation governing the waterworks system.

#### **Section 8. Opening or closing fire hydrants.**

It shall be unlawful for any person to open or close any fire hydrant connected with the waterworks system of the city or to remove the covers of any gate valves or shutoffs thereof, without the permission of the, Water Department, except in case of fire, and then under the direction of public safety officers.

#### **Section 9. Damaging, interfering with works or systems.**

It shall be unlawful for any person to damage, remove, tap, connect or otherwise interfere with in any manner, any pipe, meter or other apparatus or attachment pertaining to or connected with any water or sewer works or system, private or public, in this city or to waste or misuse any supply of water in any manner other than as contracted for with permission of the person owning the same having been first obtained; provided that when it becomes necessary to interfere with or remove, tap or connect with any part or attachment thereof the person so removing or interfering therewith shall give the owner thereof or his agent reasonable notice of his intention so to do.

#### **Section 10. Trespassing on water storage tanks.**

It shall be unlawful for any person to enter any secured water distribution site or to go upon or ascend the stairway or steps on any elevated water storage tank or standpipe of the waterworks system except by permission of the Water Department.

#### **Section 11. Water meters - Generally.**

All water meters shall be set, maintained and removed by the employees of the city. The customer in whose name the account is maintained is responsible for payment of utility services through that customer's meter, shall be responsible to preserve the meter in good condition, free from damage or tampering, shall keep the meter readily accessible to city employees at all times, and shall be liable to the city for any damages caused to the meter while the meter is in the customer's name. The customer is responsible for payment of all water measured through a water meter billed in their name.

#### **Section 12. Same-Tampering with; removing; charges.**

(a) Definition. Meter tampering shall mean any intentional act that affects any water meter or equipment so that the water supply is:

- (1) Diverted from passing through a water meter;
- (2) Prevented from being correctly registered by a water meter; or .
- (3) Activated by any device installed to obtain water without a metering device, without the effective consent of the Water department; any damage or attempt to damage a water meter and/or any

connections thereto; or any attempt by the customer to obtain or reinstate service without the effective consent of the city.

(b) Removing; tampering. It shall be unlawful for any person to remove any water meter that has been placed by the city or in any manner change, interfere with or tamper with any water meter; provided that the provisions of this section shall not apply to the employees of the city when acting in their official capacity.

(c) Charges. Applicable service charges for meter tampering shall be not less than the sum of the previous two months of water bills or as otherwise prescribed by the City Council. Any charges under this section shall be assessed to the customer in whose name the utility service is listed.

### **Section 13. Same-Concealing boxes.**

It shall be unlawful for any person to cover over or conceal from view any water meter valve box, service or meter box.

### **Section 14. Normal service hours and emergencies.**

Normal customer service office, counter and/or drive-up hours shall include the hours from 8:00 a.m. to 5:00 p.m. weekdays, Monday through Friday, except for official holidays observed by the city. Normal customer service residence and/or business (on premise) hours shall include the hours from 8:00 a.m. to 4:00 p.m. Any customer request for service outside of the normal residence and/or business (on premises) service hours shall be completed on the next regularly scheduled workday. Accounts with emergency customer requests for service outside the normal residence and/or business (on premise) service hours, and which are completed outside the normal residence and/or business (on premise) service hours, shall be charged the applicable overtime fee.

### **Sections 15-17. Reserved.**

## **ARTICLE II.**

### **Section 1. Savings and severability.**

(a) The provisions of this ordinance are to be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent with or in conflict with any of the provisions of this ordinance are hereby expressly repealed to the extent of any such inconsistency or conflict.

(b) If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Council of the City of Coahoma hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

